

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Daisuke KUMAKI et al.)
Serial No.: 10/587,010)
Filed: July 21, 2006)
For: Light Emitting Element And Light)
Emitting Device Using The Same)
Art Unit: 1794)
Examiner: Dawn L. Garrett)
Confirm No.: 9347)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

In response to the Restriction Requirement of September 28, 2009, Applicants elect Group I (Claims 1, 2, 3, 11 and 12).

Applicants are making this election without disclaimer or prejudice to later filing a divisional application on the non-elected claims/species.

If any fee should be due for this response, please charge our deposit account 50/1039.

Respectfully submitted,

Date: October 27, 2009



Mark S. Murphy
Registration No. 34,225

COOK ALEX LTD.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer no. 26568